

THE LINDEN LAW GROUP,

5 Penn Plaza, 23rd Floor
New York, New York 10001
(212) 835-1532

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Via ECF

Hon. Analisa Torres
U.S. District Court, SDNY
500 Pearl Street
New York, New York 10007

Re: ***Javon Johnson v. Kenneth Reece***
Case No: 22-CV-3780 (AT)

Dear Judge Torres:

This office represents Plaintiff in this matter.

Pursuant to your Order of October 26, 2022, Plaintiff was to serve the Defendant by publication by today. Your Honor previously ordered the same with a deadline of October 14, 2022. Of course, I immediately advised my client the Plaintiff of both of those two orders to serve by publication. I also found and arranged with the local newspaper to pay for and publish the Legal Notice which would have constituted service on the Defendant in a timely fashion.

After multiple conversations with the Plaintiff explaining these orders, due to his privacy and other concerns, he has specifically directed me not to serve by publication. At this point, I am left with two respectful requests of the Court.

Last week, we confirmed Mr. Reece's actual and new residence address in Manhattan. The building has a doorman. My first request of the Court is to allow service of the doorman as substitute service.

In the alternative and due to my inability to comply with the prior Court orders, I request the Court allow a withdrawal of the action without prejudice, and a re-filing in an effort to serve him at the new address we now know to be valid.

GRANTED in part, DENIED in part. Plaintiff shall file a voluntary dismissal without prejudice to refile.

SO ORDERED.

Dated: November 8, 2022
New York, New York



ANALISA TORRES
United States District Judge